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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/811,892

03/30/2004

Eun-sup Kim

1793.1184

1320

21171 7590 06/30/2010

STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

SITTA, GRANT

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

06/30/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/811,892	Applicant(s) KIM, EUN-SUP	
	Examiner GRANT D. SITTA	Art Unit 2629	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 June 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.

/Sumati Lefkowitz/
 Supervisory Patent Examiner, Art Unit 2629

/Grant D Sitta/
 Examiner, Art Unit 2629

Continuation of 11. does NOT place the application in condition for allowance because: 28. Applicant's arguments filed 6/17/2010 have been fully considered but they are not persuasive.

In response to applicant's argument that neither Saito and Park disclose where the controller generates the inverter off signals until the horizontal signal is detected, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). Saito teaches, "[a] backlight control apparatus for use with a liquid crystal display device according to the present invention comprises a liquid crystal display panel for displaying, at timing synchronized with a synchronizing signal, an image represented by a video signal supplied thereto; a backlight device for emitting light according to a voltage applied thereto to illuminate the liquid crystal panel from the rear, and voltage controller (control means) for controlling, during a synchronization period of the synchronizing signal, the voltage applied to the backlight device, the voltage being lower during the synchronization period than during a period other than the synchronization period" (col. 1, lines 30-40). While Saito teaches controlling the backlight synchronized with a synchronizing signal, Saito fails to expressly teach generating the inverter off signal until the horizontal synchronization is detected. However, Shin expressly states, "determining whether the video signal is inputted or not according to the synchronizing signal being detected or not, and supplying or cutting off the electric power to the backlight according to the determination of the existing or non-existing of the video signal input." (col. 1, lines 45-53), since as pointed out by Applicant in Remarks dated (12/17/2010), the ending of the sync period is not necessarily the same as the detection of the horizontal synchronization period. It would have been obvious to one of ordinary skill in the art to modify the backlight driving of Saito, to further include wherein where the controller generates the inverter off signals until the horizontal signal is detected, in order to save power, remove noise, and provide for a better picture quality. In response to applicant's remarks that Shin does not cut off inverter off signals, as noted above, the test is what the combined references would have suggested to one of ordinary skill in the art. Saito teaches having backlight timing synchronized with a synchronizing signal, an image represented by a video signal supplied thereto; a backlight device for emitting light according to a voltage applied thereto to illuminate the liquid crystal panel from the rear, and voltage controller, i.e., cutting off inverter off signals or turning on the inverter signal.

In response to Applicant remarks, that vertical and horizontal signals are different and not interchangeable. Examiner respectfully disagrees since Saito states they may be interchanged ("the synchronization period of the synchronizing signal in which the voltage applied to the backlight device is kept reduced may be a horizontal synchronization (blanking) period of a horizontal synchronization signal or a vertical synchronization (blanking) period of a vertical synchronization signal" (col. 2, lines 4-16 emphasis added)).